

MINUTES
BOARD OF SUPERVISORS
COUNTY OF YORK

Adjourned Meeting
July 24, 2001

6:00 p.m.

Meeting Convened. An Adjourned Meeting of the York County Board of Supervisors was called to order at 6:02 p.m., Tuesday, July 24, 2001, in the East Room, York Hall, by Chairman James S. Burgett.

Attendance. The following members of the Board of Supervisors were present: Walter C. Zarembo, Sheila S. Noll, Donald E. Wiggins, James S. Burgett, and H. R. Ashe.

Also in attendance were James O. McReynolds, County Administrator; and James E. Barnett, County Attorney.

WORK SESSION

MEETING WITH PARKS AND RECREATION ADVISORY BOARD

Mr. McReynolds explained that several months ago the Parks and Recreation Advisory Board (PRAB) members requested time to address the Board of Supervisors in a work session. He noted that PRAB member David White was present to speak on behalf of the entire PRAB.

Mr. David White indicated he wished to outline where the PRAB was and to discuss ways to increase its opportunities to help the Board of Supervisors. He noted that Mrs. Anne Smith, Director of Community Services, had provided the Board of Supervisors with a very good outline of the PRAB's history since its inception in 1977. Mr. White noted the committee's desire to better serve the County in terms of finding more ways to provide leisure and recreation activities for the County's citizens. In order to do this, he stated the committee needed input from the Board of Supervisors as to the needs and wishes of the people in their respective districts. He noted that from time to time the committee comes across an issue on which it feels the Board needs input. Although the minutes remain the main form of communications, he stated the committee feels it should make recommendations to the Board on individual special issues. Mr. White stated he had met with Mike Matthews of the James City County Recreation Board, noting that James City County was very proactive on recreation issues, and he spoke of its Recreation Board's involvement. He suggested that the PRAB members attend some of the James City County meetings to see first-hand what they are doing.

Mr. Wiggins thanked the PRAB for what it has done for the County. He noted the committee was formed to provide input from the citizens, yet he has not received many calls from his PRAB representative regarding recreation issues.

Mrs. Noll also expressed what a fine job the PRAB has done for the County. She stated the avenues are open for the PRAB members to interact with the Board of Supervisors, and they have never been closed. She noted that the current Board of Supervisors and the one before pushed for better communications with its volunteers, but some people take the initiative and some do not. Mrs. Noll noted that the Parks and Recreation Division receives more remarks on recreation conditions than the PRAB does because they are the ones with day-to-day,

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hands-on experience with the citizens. She stated the PRAB was welcome to run a citizens survey at any time.

Mr. George Stephenson, Chairman of the Parks and Recreation Advisory Board, stated the committee's frustration was in the mode of operation. He stated he had envisioned that when a large issue came up, such as the community center, the Board of Supervisors would come to the PRAB and solicit its input prior to taking any kind of action, such as it does with planning issues and the Planning Commission. He noted, however, that he had never felt that he couldn't call any of the Board members to pass on an opinion or a comment from a neighbor

Mr. White stated that given today's energy on the Parks and Recreation staff, everyone needs to work harder to see how the committee members and Board members can work to best serve the citizens.

Mr. Wiggins stated he wanted the PRAB's input on everything recreation-oriented.

Mr. Zaremba stated he read the information provided by Mrs. Smith's department, and he understands the role of the PRAB. He stated the Board of Supervisors meets almost every Tuesday and formally on the first and third Tuesdays, and the PRAB meets every two months. He spoke of time constraints and getting ideas passed on in a timely manner because of the meeting schedules, and noted that a solution needed to be worked out. He stated there was always room for improvement to get the committee involved, and he recommended that the committee exercise the authority given it in its bylaws. Mr. Zaremba agreed that the Board of Supervisors wishes to have the input of the PRAB before it makes any major decisions on parks and recreation issues.

Mr. Ashe stated he was very appreciative of the job the committee has done in the past, and he noted he would like the input and assistance of the PRAB in getting a park facility in the lower end of the County. He also expressed his appreciation for Mr. Mosier's sharing his thoughts on District 5 with him.

Mrs. Noll indicated that perhaps staff and the committee could hold a mini-retreat in order to investigate feelings about what the PRAB wants to do and how it wants to accomplish it. She stated the PRAB has all the authority it needs in its bylaws.

Chairman Burgett suggested that the PRAB move to having monthly meetings. He also suggested that the committee decide what kind of an organization it wishes to be and how it wants to participate with the Board of Supervisors. The Board of Supervisors may not accept everything presented, but a plan is needed. He stated he also had a long-time goal for a park in the lower end of the County. He noted he felt this was a worthwhile goal, and he appreciated the members of the PRAB coming this evening to share their input.

TOURISM FUNDING ALLOCATIONS

Mr. McReynolds noted that staff had provided the Board members with information on tourism funding requests, and Mr. Carter was present to answer any questions the Board might have.

At this time the Board members reviewed the requests and staff's recommendations, and agreed on the following allocations:

Williamsburg Area Convention and Visitors Bureau

\$ 153,400

Watermen's Museum	75,000	
James City County Transit—Relax and Ride		Tourist 46,000
		Shuttle
Jamestown-Yorktown Foundation—Exhibit support	40,000	
Celebrate Yorktown Committee—promotions/events	12,950	
County Projects:		
Walking Tour/Visitors Guide Brochure	10,000	
Special Events staffing (work as required)	15,000 (not to exceed)	

The Board also agreed to fund Waterfront Facilities Maintenance/Repair from the Contingency Fund in the amount of \$12,500.

Mr. McReynolds pointed out that there will be additional allocations recommended as arrangements are finalized for use of York Hall and other projects as well in Yorktown of a significant nature that will bring the amount up to the \$350,000-\$360,000 range. He stated the figure was also used to build the Capital Improvements Program (CIP). He indicated if staff misinterpreted the Board's direction, then it would have to rework the CIP.

During the discussions, Mrs. Noll expressed her opinion that part of the request of the Watermen's Museum was for operations, and she did not feel it was appropriate. She stated the Museum has no plan for fundraising on its own. She indicated the Board of Directors of the Museum should develop a strategic plan that includes fundraising activities. Mrs. Noll stated she attended a Board of Directors meeting last month at which time the Directors agreed that this should be done. She stated she was concerned that approving too much funding for these requests might jeopardize the ability to complete various constructions projects by 2006/2007.

Mr. Zaremba stressed the importance to the tourist industry in Yorktown of the activities requesting funds. He stated that because they work hard to bring in the tourism dollars, they need to be supported.

Mr. Ashe stated he shared some of Mrs. Noll's concerns about the projects in Yorktown getting accomplished. He indicated he did not have a history on some of the requests, but he hoped the Board was not setting a precedent that the activities will be fully funded each year.

Chairman Burgett stated it would be an error on anyone's part to think that whatever was funded this year will be funded next year or any other year. He stated these allocations are specific to this point in time.

Mr. McReynolds noted if the Board were to increase the contributions by \$200,000 annually, this would require that the CIP be reduced by 10 percent over the next six years. He stated there was some flexibility, but the CIP was built using contribution figures of \$313,000 this year and \$350,000 over the balance. The Board has some discretionary amounts, but if this is a long-term trend, the Board will have to rethink the CIP.

Meeting Recessed. At 7:17 p.m., Chairman Burgett declared a short recess.

Meeting Reconvened. At 7:25 p.m., the meeting was reconvened in open session by order of the Chair.

PARKING ORDINANCE DRAFT REVIEW

Mr. Barnett indicated that ordinances restricting parking in a residential area were not uncommon, and he noted he reviewed ordinances of other jurisdictions to develop the proposed ordinance. He then reviewed the addition of a subsection regarding "parking of commercial vehicles in areas zoned for residential use," noting that the last part of the subsection defined "commercial vehicle." Mr. Barnett stated he also added an amendment to Section 15-43 regarding the payment of parking citation penalties setting a voluntary payment of \$50 on commercial vehicles.

Chairman Burgett stated his concern dealt with someone who has a toolbox on the back of his truck, thus making the truck to be considered commercial.

Mr. Barnett stated the ordinance by itself did not restrict parking within someone's driveway. In the regulations on home occupations, any vehicle one ton or larger cannot be parked in a residential zone. Accessory uses in residential zones lists what vehicles are permissible; they seem to exclude larger vehicles by not listing them. He stated these particular sections should be looked at again.

Mrs. Noll asked if this would exempt rural areas in the County. She stated she would not want to exclude rural residents from parking trucks on their properties. The Board wants to protect the neighborhoods where there are higher densities.

Mr. Barnett suggested that perhaps the ordinance could prohibit the parking of larger vehicles in certain zoning districts.

Mr. Zaremba stated it boils down to the definition, and he asked what did the proposed ordinance cover.

Mr. Barnett stated the Board could only adopt a parking ordinance covering roads in the secondary system. He indicated the ordinance could list subdivisions by name and make the ordinance enforceable.

Mr. Zaremba stated if the Board could define subdivisions, they would be applicable to this ordinance. He stated he thought the citizens would want this to be applicable to all subdivisions.

Mr. Ashe suggested that it be defined by size of lots.

Mr. J. Mark Carter, Planning and Zoning Manager, stated it could be used as a guideline, but he indicated he thought they would have to name the subdivisions in the ordinance.

Sheriff Danny Diggs stated that every time a subdivision was added in the County, the ordinance would have to be revisited.

Discussion followed on the problem areas in the County.

Mr. Carter suggested that if the Board wished to protect the areas with small roads, they could probably be defined by zoning district. Then the Board could look at the RR districts and name those subdivisions specifically.

Mr. Ashe asked to hear from Deputy Superintendent Dick Hixson regarding the school system's concerns.

Mr. McReynolds noted that the Superintendent of Schools had prepared a letter and sent it to his office that indicated there were currently 78 drivers who take their buses home. To no longer allow them to park them at their residences would lower the School Board's ability to recruit drivers and there are not adequate central parking areas for these buses that are now going home with the drivers.

Mr. Dick Hixson, Deputy Superintendent of Operations, stated that two-thirds of all drivers take the buses home. A large part of them do it because they have no other vehicle at home. York County is not unique in having a hard time in recruiting bus drivers. This ordinance would mean the County would lose bus drivers. A result could be going to a divided elementary school schedule that could generate a lot of turmoil for many families. He stated the school system would also have to designate parking areas close to the bus drivers' homes which would be at school sites, and this would impact on the parks and recreation programs. Mr. Hixson stated he has worked with the president of the York Crossing Homeowners Association in order to make it convenient for the bus drivers, and generally the problems have been worked out. He stated some people just don't like to look out their windows and see a school bus.

Chairman Burgett asked if a homeowners' association came to the School Board and indicated it didn't want school buses parked in its subdivision, would the School Board accommodate the majority of the homeowners' associations as it did with York Crossing. He stated if the School Board would do this, then perhaps the Board could put language in the ordinance to meet this particular problem.

Mrs. Noll stated she felt that school buses being parked in neighborhoods was a safety issue.

Mr. Wiggins agreed with Mrs. Noll stating there are open ditches in some of the neighborhoods with the buses being parked half on and half off the streets. He stated that perhaps all subdivisions can't be treated the same.

Mr. Zaremba noted that he has seen school buses parked at the Farm Fresh parking lot in his district, and he asked if the School Board has an arrangement with the property owners.

Mr. Hixson stated the School Board has no formal arrangements with anyone regarding parking. He indicated that to his knowledge the school system did not have any of its drivers parking their buses in these lots.

Mr. Ashe asked if it would be possible to require that in the rural areas the drivers get the buses off the roads and into the driveways or on their own properties. He stated he felt this might be more reasonable than outlawing buses altogether.

Mr. Hixson stated the school system would be open to any solution such as that. He noted it has been done in specific instances at the request of the neighbors.

Mr. Zaremba stated the Board needed to see an overlay of what subdivisions fall where.

Chairman Burgett stated the Board would hold another work session on this topic.

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Mr. Barnett then reviewed the draft graffiti ordinance. He stated it was an aggressive ordinance such as those adopted by the Cities of Hampton, Norfolk, and Alexandria. The most important aspect of the ordinance is that it declares graffiti to be a public nuisance and authorizes the County Administrator to remove graffiti on privately owned buildings and to assess the cost against the property owner. He noted that the legal authority of the Board to impose such costs on private property owners is not set out in the state code as precisely as he would like, but he felt the authority was implied.

Mr. Wiggins stated he likes that the proposed ordinance spells out what happens to the people who commit these acts.

Mrs. Noll stated she realizes there are problems, but she asked if graffiti was so widespread in the County that this action was necessary.

Chairman Burgett stated the County needs to have something in order for the people to know the Board means business and that graffiti will not be tolerated.

Discussion followed concerning the extent of damage done by graffiti and the possible use of Crime Line to help authorities catch offenders.

Mr. Zaremba and Mr. Ashe indicated they felt the notification of assessment should be made by registered mail instead of regular mail.

Mr. Wiggins stated he felt the ordinance was a good one.

Mr. Barnett stated that no ordinance, no matter how aggressive, would stop graffiti, but the County should be able to at least assess the costs for paying for damages to the offender or property owner.

By consensus the Board directed that the proposed ordinance be advertised for public hearing.

REDISTRICTING—PROCESS DISCUSSION

Mr. Carter reviewed the information he distributed to the Board members regarding a proposal for conducting the redistricting information meetings. He stated he started with the same number of meetings held in 1991 and supplemented the list with a couple of additional sites to get better coverage. He noted the meetings would be held VDOT-style with staff positioned around the room to explain the maps and answer questions or collect written questions of the citizens. Mr. Carter stated that after the information meetings, the Board's schedule calls for a work session on October 23 to decide on an alternative on which to hold a public hearing on November 20.

Mr. Zaremba asked for a feel for what would take place at the information meetings.

Mr. Carter stated there was no real formal presentation except to explain to the citizens the format of the meetings and explain that forms would be available for written comments and questions, and staff would be present to answer questions regarding the alternatives. He stated it would be a very informal session.

Mr. Wiggins asked if tape recordings of citizen comments and questions could be set up at the information meetings.

Mr. Carter indicated that could be done.

Mr. McReynolds stated the staff would make every effort to make sure there is ample opportunity for citizen input.

Chairman Burgett stated he felt the proposed coverage was good.

Mr. Barnett then provided the Board members with a summary of the information he would be reviewing concerning the redistricting process. He noted that racial considerations were more important during the last redistricting than at this time. He stated it was even less possible now for a majority/minority district to be established, but he felt the Board needed to see the numbers. Noting that it takes a great deal of time for the Planning staff to extract those figures, he recommended that the information not be extracted until such time as the Board has chosen the alternatives it wishes to take to the public for the information meetings.

Meeting Adjourned. At 8:27 p.m. Chairman Burgett declared the meeting adjourned sine die.

James O. McReynolds, Clerk
York County Board of Supervisors

James S. Burgett, Chairman
York County Board of Supervisors